

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

**886 JOHNSON FERRY ROAD
HOLDINGS, LLC,**

Plaintiff,

vs.

**TERRACE EAST COBB PROPCO
(SL-VI) LLC,**

Defendant.

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CIVIL ACTION FILE

NO. _____

**EMERGENCY MOTION FOR APPOINTMENT
OF A RECEIVER AND RELATED INJUNCTIVE RELIEF**

Plaintiff, 886 Johnson Ferry Road Holdings, LLC (“**Lender**”), files this Emergency Motion for the Appointment of a Receiver and For Related Injunctive Relief (“**Motion**”) and respectfully moves the Court on an emergency basis pursuant to Fed. R. Civ. P. 66 and LR 7.2(B) NDGa to appoint a receiver for the Arbor Terrace of East Cobb apartments, an assisted living and memory care senior community, located at 886 NE Johnson Ferry Road, Marietta, Georgia 30068 (the “**Property**”), which is owned by Defendant Terrace East Cobb Propco (SL-VI) LLC, as well as to grant injunctive relief in aid of the receivership.

At issue is the preservation, control and operation of the Property, which secures Defendant’s indebtedness to Lender. The Property is a senior housing

community that provides assisted living and 24-hour care for seniors living with Alzheimer's and other types of dementia. It is important that a receiver is put in place so the residents and their family members are assured that their health and welfare is being properly handled and that there will be no disruption to their care both before and during the pendency of any foreclosure. Plaintiff's Motion is supported by its contemporaneously filed *Memorandum of Law in Support of Emergency Motion for Appointment of a Receiver and for Related Injunctive Relief* as well as Plaintiff's *Verified Complaint for Damages, Appointment of Receiver, and For Related Injunctive Relief* filed contemporaneously herewith.

Respectfully submitted, this 13th day of May, 2024.

/s/ Christopher A. Riley
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Georgia Bar No. 605634
Blake M. Simon
Georgia Bar No. 894927

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